

EXHIBIT 26

FILED

SEP 29 2010

Sherry W. Parker, Clerk, Clark Co.

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF CLARK

STATE OF WASHINGTON,

No. 85-1-00007-2

Plaintiff,

MOTION AND ORDER FOR DISMISSAL
WITHOUT PREJUDICE

vs.

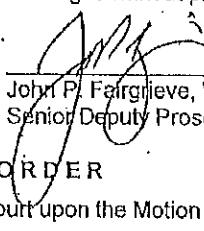
CLYDE RAY SPENCER,



Defendant

COMES NOW, John P. Fairgrieve, Senior Deputy Prosecuting Attorney, and moves the above Court to dismiss the Information filed January 3, 1985 in the above-entitled case for the reason that: The original charges are based on events which occurred over twenty five years ago and that based on a review of the available evidence, the probability of achieving a guilty verdict after trial, and the cost of additional litigation the Prosecuting Attorney feels that dismissal of the charges without prejudice is appropriate at this time.

DATED this 29th day of September, 2010.


John P. Fairgrieve, WSBA #23107
Senior Deputy Prosecuting Attorney

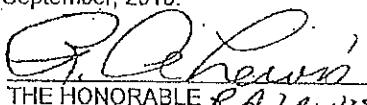
ORDER

THIS MATTER having come before the Court upon the Motion and the Court now being fully advised in the premises and on consideration whereof finds said Motion should be sustained;

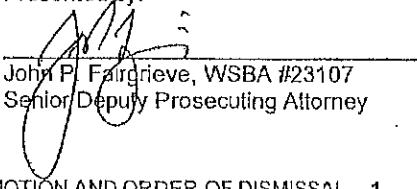
NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that said case is hereby dismissed without prejudice.

IT IS FURTHER ORDERED that bail and release conditions previously imposed are hereby exonerated and the Clerk shall disburse it to the appropriate person.

DONE IN OPEN COURT this 29 day of September, 2010.


THE HONORABLE R.A. Lewis
JUDGE OF THE SUPERIOR COURT

Presented by:


John P. Fairgrieve, WSBA #23107
Senior Deputy Prosecuting Attorney

MOTION AND ORDER OF DISMISSAL - 1

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